

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

EMA DE JESUS RUIZ CORREA,
Plaintiff,

v.

**WILLIAM J. FOSTER and
ANDREW MCDANIEL,**
Defendants.

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No. PE:20-CV-00084-DC-DF

ORDER

BEFORE THE COURT is Plaintiff Ema De Jesus Ruiz Correa’s (“Plaintiff”) Request for the Court to Authorize an Additional 30 Days to Obtain Service of Process Location (hereafter, “Sixth Motion”). (Doc. 22). This case is before the undersigned through a Standing Order pursuant to 28 U.S.C. § 636 and Appendix C of the Local Court Rules for the Assignment of Duties to United States Magistrate Judges.

On December 31, 2020, Plaintiff filed her Original Complaint in this Court. (*See* Doc. 1). Plaintiff then filed an Amended Complaint on January 5, 2021. (*See* Doc. 2). On July 8, 2021, Plaintiff effectuated service of her Amended Complaint on Defendant Andrew McDaniel. (Doc. 7). However, Plaintiff has since been unable to effectuate service on the remaining Defendant William J. Foster (“Defendant Foster”). (*See* Docs. 8, 11, 14, 15, 18, 19, 22). On March 1, 2022, Plaintiff filed her Sixth Motion, requesting that the Court extend the time for service by another 30 days. (Doc. 22 at 1). Plaintiff intends to accomplish this objective by subscribing to Accurant, an investigative skip trace product provided by Accurant,¹ to locate an address for Defendant Foster and effectuate service upon him. *Id.*

1. Accurant is more completely described as a “skip trace program provided by Lexis Nexis that searches public records and databases to locate individuals within the United States.” *United States v. 7 Monkeys, LLC*, No. 19-8550 (JMV), 2020 U.S. Dist. LEXIS 108495, at *6, 2020 WL 3415578, at *2 (D.N.J. June 22, 2020). While not expressly endorsed by any district court under the jurisdiction of the United States Court of Appeals for the Fifth Circuit, searches performed on Accurant’s database have been upheld and otherwise regarded as acceptable methods of

After due consideration, it is **ORDERED** that Plaintiff's Sixth Motion shall be **GRANTED**. (Doc. 22). Plaintiff shall utilize the methods outlined in the Sixth Motion to serve Defendant Foster by **May 26, 2022**. **No further extensions will be granted without a showing of good cause.**

It is so **ORDERED**.

SIGNED this 26th day of April, 2022.



DAVID B. FANNIN
UNITED STATES MAGISTRATE JUDGE

locating defendants. *See, e.g., Bd. of Trs. of the Cement Masons Health & Welfare Tr. Fund v. Indus. Com. Concrete Const.*, Nos. 14-cv-02064-JSC, 14-cv-02061 JSC, 2014 U.S. Dist. LEXIS 155652, at *11–12, 2014 WL 5795064, at *4 (N.D. Cal. Nov. 5, 2014); *see also Ellis v. United States*, No. 20-971 CG/GBW, 2021 U.S. Dist. LEXIS 99580, at *2–3, 2021 WL 2144806, at *1 (D.N.M. May 26, 2021).